



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MND, MNR, MNSD, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Both parties participated in the conference call hearing.

At the hearing the parties agreed that the tenants' name should be changed on the application to reflect the accurate spelling. The style of cause reflects this change.

### Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

### Background and Evidence

The parties agreed that the tenancy began on March 1, 2008 and ended on or about August 15, 2010. The landlord holds a \$375.00 security deposit.

The parties agreed that the landlord is entitled to recover \$4,100.00 in unpaid rent, \$90.75 for dump fees and \$1,015.06 for the cost of replacing flooring.

The landlord claimed that the rental unit was infested with fleas at the end of the tenancy and claims the \$60.42 cost of the materials required to treat the unit. The tenant acknowledged that he had a dog but denied any knowledge of fleas and testified that his dog still does not have fleas.

The landlord also made a claim for the cost of developing photographs and serving documents.

### Analysis

As the tenant has acknowledged liability for unpaid rent, dump fees and flooring replacement, I award the landlord \$4,100.00, \$90.75 and \$1,015.06 respectively for those claims.

With respect to the claim for the cost of treating fleas, the landlord bears the burden of proving that flea treatment was required. The landlord provided no evidence such as witness statements to corroborate her testimony that the unit was infested with fleas and as the landlord removed the carpet from the unit, I find it unlikely that if there were fleas, they would have remained in the unit after the carpet was removed. I find that the landlord has failed to prove this claim on the balance of probabilities and the claim is dismissed.

I also dismiss the claim for the cost of developing photographs, registered mail and serving documents as under the Act, the only litigation-related expense I am empowered to award is the cost of the filing fee.

I find that the landlord is entitled to recover the \$100.00 filing fee paid to bring this application and I award her that sum.

### Conclusion

The landlord has been awarded a total of \$5,305.81. I order the landlord to retain the \$375.00 security deposit and the \$4.70 in interest which has accrued to the date of this judgment in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance of \$4,926.11. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Dated: November 02, 2010

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Dispute Resolution Officer